

**Frederick County Ethics Commission**  
**Minutes for the Public Meeting of Thursday, September 29, 2011**

Present: Karl W. Bickel, Chair  
Paula C. Bell, Commission Member  
Hayden B. Duke, Commission Member  
E. Donald Foster, Alternate Commission Member  
Linda B. Thall, Senior Assistant County Attorney

The Frederick County Ethics Commission met at 7:00 p.m. on September 29, 2011, at the Office of the County Attorney on the 2<sup>nd</sup> floor of Winchester Hall, 12 East Church Street, Frederick, Maryland 21701.

**Discussion regarding a complaint** – The Ethics Commission discussed a complaint filed against a County Commissioner alleging conflicts of interest due to the Commissioner's non-County Government employment. The County Commissioner and his legal representatives attended this part of the meeting and provided information about the subject matter of the complaint. After the discussion with the Commissioner and his representatives, the Ethics Commission voted to recess the public meeting and conduct an Administrative Function meeting.

**MOTION:** Mr. Bickel made a motion to go into an Administrative Function meeting to discuss the application of the Ethics Ordinance to the complaint. Ms. Bell seconded the motion, which was approved unanimously.

**Statement regarding Administrative Function meeting** – The Ethics Commission recessed its public meeting to carry out an administrative function, namely, the application of the Ethics Ordinance to one or more specific individuals covered by the Ordinance. As required by Section 10-503(c) of the Open Meetings Act, State Government Article, Maryland Annotated Code, the following information regarding the administrative function meeting is included in these minutes. The September 29, 2011 meeting was attended by Mr. Bickel, Ms. Bell, Mr. Duke, Mr. Foster and Ms. Thall. The meeting began at approximately 7:30 at the location noted above. There were three subjects of discussion at the meeting. The first was the disposition of an ethics complaint made against a County Commissioner, which was the initial subject discussed during the public meeting. The second subject was the disposition of an ethics complaint against a former County Commissioner, based on his alleged failure to comply with the post-employment restrictions of the Ethics Ordinance. The third subject was the response to a request for an opinion regarding the potential for violations of the Ethics Ordinance by several members of the Board of County Commissioners in their actions on changes to the County's Comprehensive Plan.

At the conclusion of the Administrative Function meeting, the Ethics Commission resumed its public meeting.

**Election of the Ethics Commission Chair** – Mr. Foster nominated Mr. Bickel to serve as the new Chair of the Ethics Commission. Ms. Bell seconded the nomination, which was approved on a 3 to 0 vote, with Mr. Bickel abstaining.

**Approval of the minutes from the March 15, 2011 meeting** – A draft of the minutes was emailed to the Commission members in March 2011. No requests for changes were received.

**MOTION:** Mr. Foster made a motion to approve the minutes. Ms. Bell seconded the motion, which was approved on a 3 to 0 vote, with Mr. Duke (who was not a Commission member at the time of the March 15 meeting) abstaining.

**Financial disclosure statements** – Copies of the 2011 annual financial disclosure statements were distributed to the Ethics Commission members. The members will review the information and identify any matters needing further attention by the end of October.

**Public Ethics Law interim report** – The members asked when the next report on the Public Ethics Law would be made. The Senior Assistant County Attorney will contact the Ethics Compliance Administrator in the County Manager's Office and report back to the Commission.

**Update on the status of Lobbying Activity Reports** – The Senior Assistant County Attorney advised the Ethics Commission that all Lobbying Activity Reports due for 2011 have been received and reviewed.

**Update on adoption of new Ethics Ordinance** – The Senior Assistant County Attorney told the Ethics Commission that a draft of the new Ethics Ordinance had been submitted to the State Ethics Commission for review and comment. Due to delays by the State in responding, the County will be unable to have the new ordinance in place by October 1, as originally planned. The Ethics Commission cannot issue a certificate of compliance for the new ordinance until the State Ethics Commission gives its approval.

### **Adjournment**

The Ethics Commission adjourned its meeting at 8:25 p.m.

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/s/  
Linda B. Thall, Senior Assistant County Attorney